

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Scott Alan Grace
Terri L. Grace

Debtor(s)

Deutsche Bank National Trust Company, as
Indenture Trustee, for New Century Home Equity
Loan Trust 2005-1

Moving Party

vs.

Scott Alan Grace
Terri L. Grace

Debtor(s)

Kenneth E. West

Trustee

CHAPTER 13

NO. 22-10818 PMM

11 U.S.C. Section 362

STIPULATION

AND NOW, it is hereby stipulated and agreed by and between the undersigned as follows:

1. The post-petition tax arrearage on the mortgage held by Movant on Debtors' residence is **\$9,480.04**, which is itemized as follows:

Post-Petition Tax Payments: Tax payments of \$3,942.68 and \$930.33 for 2022;
Tax payments of \$3,626.36 and \$955.67 for 2023;
Tax payment of \$25.00 paid August 23, 2024

Total Post-Petition Tax Arrears: \$9,480.04

2. The Debtor shall cure said arrearages in the following manner:

a). Within seven (7) days of the filing of this Stipulation, Debtors shall file an Amended Chapter 13 Plan to include the post-petition tax payments of **\$9,480.04**.

b). Movant shall file an Amended or Supplemental Proof of Claim to include the post-petition tax arrears of **\$9,480.04** along with the pre-petition arrears.

c). The new 410A form for a Proof of Claim shall not be required for this Amended or Supplemental Proof of Claim.

3. Beginning with the payment due November 2024 and continuing thereafter, Debtors shall pay to Movant the present regular monthly mortgage payment of **\$1,461.83** (or as adjusted pursuant to the terms of the mortgage) on or before the first (1st) day of each month (with late charges being assessed after the 15th of the month).

4. Should Debtors provide sufficient proof of payments made, but not credited (front & back copies of cancelled checks and/or money orders), Movant shall adjust the account accordingly.

5. In the event the payments under Section 3 above are not tendered pursuant to the terms of this Stipulation, Movant shall notify Debtors and Debtors' attorney of the default in writing and the Debtors may cure said default within FIFTEEN (15) days of the date of said notice. If Debtors should fail to cure the default within fifteen (15) days, Movant may file a Certification of Default with the Court and the Court shall enter an Order granting Movant relief from the automatic stay and waiving the stay provided by Bankruptcy Rule 4001(a)(3).

6. If the case is converted to Chapter 7, Movant shall file a Certification of Default with the Court and the Court shall enter an order granting Movant relief from the automatic stay.

7. If the instant bankruptcy is terminated by either dismissal or discharge, this agreement shall be null and void, and is not binding upon the parties.

8. The provisions of this Stipulation do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this Stipulation, including fees and costs, due under the terms of the mortgage and applicable law.

9. The parties agree that a facsimile signature shall be considered an original signature.

Date: November 25, 2024

/s/ Denise Carlon
Denise Carlon, Esquire
Attorney for Movant

Date: December 4, 2024

/s/ Michael P. Kelly
Michael P. Kelly, Esq.
Attorney for Debtors
No Objection Without Prejudice
To Any Trustee Rights Remedies

Date: December 5, 2024

/s/LeeAne O. Huggins
Kenneth E. West
Chapter 13 Trustee

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ORDER

AND NOW, this _____ day of _____, 2024 at Philadelphia, upon consideration
of this Stipulation, it is hereby ORDERED that:

The Court grants approval of the Stipulation executed by all parties. However, the Court retains
discretion regarding entry of any further order.

United States Bankruptcy Judge